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ENVIRONMENT IN THE 1990s - CHALLENGES AND DEMANDS

Introductory Report of the Executive Director

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ENVIRONMENT IN THE 1990s - CHALLENGES AND DEMANDS

1. During the 1980s, and especially in the last few years of that decade, interest in the environment and concern about it increased at an astonishing rate. Indeed, by the end of the decade, environment had become a prominent item on the international political agenda. This development, welcome as it was, was not without impact on the small secretariat of UNEP and on its 58 Member-State Governing Council.

2. At its fifteenth session, in May 1989, the Governing Council devoted an entire decision (15/1) to "Strengthening the role and effectiveness of the United Nations Environment Programme". The decision had six parts: these dealt with: (i) the catalytic and co-ordinating role of UNEP; (ii) the role of the Governing Council; (iii) UNEP national committees; (iv) areas of concentration; (v) Fund target for 1992; and (vi) supplementary programme of Environment fund activities for the biennium 1990-1991. The General Assembly, at its forty-fourth session, when considering the report of the Council on the work of its fifteenth session, reaffirmed "the mandate of the Programme as defined in General Assembly resolution 2997 (XXVII) of 15 December 1972, and supports further strengthening of the role of the Programme as the central catalysing, co-ordinating and stimulating body in the field of the environment within the United Nations system". [1] Encouraging and ambitious as this decision and this resolution were, they still did not keep pace with the challenges and tasks confronting UNEP - the Governing Council, as well as the secretariat.

3. Benefiting from the suggestions and proposals put forward at his January 1990 informal consultations with a group of Ministers of Environment and high government officials, the Executive Director, in his report on Priority Evolving Environmental Issues (UNEP/GCSS.II/2) submitted to the Council at its second special session in August 1990, devoted an entire chapter (V) to the subject of strengthening the role of UNEP and the Governing Council. The ideas advanced in that chapter were intended to stimulate reflection and discussion on how the UNEP Governing Council and its secretariat could meet the serious and increasingly urgent environmental challenges of our time.

4. Given the very short duration of the second special session, the Council was unable to devote much time to the subject, but in its decision SS.II/1 it requested the Executive Director to submit to the Council at its sixteenth session a consolidated report on the future role of UNEP.

5. This sixteenth regular session of UNEP's Governing Council is unique in that the Council session is divided into two distinct parts. The first week will be devoted to technical work in two committees, one on Programme Matters, the other on Fund and Administration. The second week, during which participation is expected to be at ministerial or equally high level, the Council will address itself to major policy issues. The present report is intended to identify some of those major policy issues, particularly those related to the role of UNEP, and to stimulate their discussion by the Council.

6. The present report has also benefited from the regular, now institutionalized, informal ministerial consultations, which took place in March rather than January 1991 because of the eruption of the war over the conflict between between Iraq and Kuwait just a few days before the dates originally planned.

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Major developments since the second special session of the Council

7. Several major developments have occurred since the second special session of the Governing Council in August 1990. First and foremost are the dramatic events unfolding in the Middle East arising out of the situation between Iraq and Kuwait. The gravity of the situation there has focused world attention on that crisis, which, during the past several weeks has heightened the concern over current and potential dangers to the environment. At the time this document was drafted, hostilities continue, but it is impossible to predict with any certainty their duration or extent, nor was it possible during the period 2 August 1990 to 15 January 1991, in the absence of any firm indication of the direction events would take, to undertake meaningful studies on the likely effects of a war in the region. It is still too early for reliable predictions of the environmental outcome. The UNEP secretariat is monitoring events closely and compiling material as it becomes available. An addendum to the present report (UNEP/GC.16/4/Add.1) will be prepared on this subject closer to the date of the Governing Council session. What is clear is that the events in the crisis resulting from the situation between Iraq and Kuwait are bound to have major effects on the national economies and the environment of all countries, particularly the weak and indebted ones. The situation is thus a matter of grave concern, as all aspects of life, including the environment, stand to be affected to a greater or lesser degree in practically all countries of the world.

8. Since the second special session of the Council in August 1990, major debates on the environment have continued. Immediately following the second special session, representatives of 94 Governments, as well as representatives from numerous United Nations organs and agencies, intergovernmental and international non-governmental organizations met for four weeks at Nairobi at the first substantive session of the Preparatory Committee of the United Nations Conference on Environment and Development (UNCED). (A detailed report on the preparations for the 1992 Conference appears in UNEP/GC.16/4/Add.7). At the end of August, the Intergovernmental Panel on Climate Change (IPCC), established jointly by the World Meteorological Organization (WMO) and UNEP, met at Sundsvall, Sweden, to review the outcome of its scientific endeavours as presented in its first assessment report on climate change. Although the mammoth report did not provide complete information on every conceivable aspect of the subject, it indicated the magnitude of the problem, defined gaps and paved the way for the international community to take response measures. Following the release of the report, the Secretary-General of WMO and the Executive Director of UNEP convened a meeting of an ad hoc group of government representatives, called for by the two governing bodies, to exchange views on the organization and substantive initiation of negotiations leading to a draft convention on climate change. The working group developed precise recommendations to that effect.

9. Subsequently, from 27 October to 7 November 1990, the Second World Climate Conference met in Geneva, attracting over 700 scientists and representatives from 137 Governments. The Conference adopted a Statement, and a Ministerial Declaration was issued. The Statement and the Declaration gave impetus to the findings of IPCC and to the subsequent negotiating process. The Statement and the Declaration, as well as the recommendations of the ad hoc group of government representatives mentioned above were submitted to the General Assembly at its forty-fifth session as annexes to the report of the Secretary-General on the implementation of GA resolution 44/207, "Protection of global climate for present and future generations of mankind".

The General Assembly subsequently decided to establish a single intergovernmental negotiating process under its own auspices, supported by UNEP and WMO, for the preparation of an effective framework convention on climate change with appropriate commitments.

10. As reported to the Council at its second special session, the June 1990 London Meeting of the Contracting Parties to the Montreal Protocol not only tightened the control measures of the Protocol significantly, but decided to establish a Multilateral Fund of $160 million - to rise to $240 million during the next three years as other developing countries become parties to the Protocol - to enable developing countries to meet its requirements and to facilitate the transfer of the necessary technology from developed to developing countries. The Multilateral Fund has been established in UNEP and became operational on 1 January 1991. The 14-member Executive Committee, established by the Contracting Parties in London, will, inter alia, supervise the use of the Fund. After the London Meeting, the Executive Committee met twice in 1990, once in September and again in December to prepare the ground for the operation of the Fund. The Executive Committee also agreed to accept the generous invitation of the Government of Canada to have Montreal as the seat of the Secretariat co-located with UNEP.

11. Following the adoption by the Governing Council of decision SS.II/5 on "International legal instrument on the biological diversity of the planet", the Ad Hoc Working Group of Legal and Technical Experts on Biological Diversity met at Nairobi from 19-23 November 1990. Attended by representatives from 71 Governments and 14 international organizations, the Group requested the Executive Director to prepare a draft convention on biological diversity, which was considered at the second session in February/March 1991 when the negotiating phase began. There was general agreement within the Group that every effort should be made to have the draft convention ready for signature in 1992.

12. In another major development, the heads of the World Bank, UNDP and UNEP reached an agreement to co-operate in the establishment and operation of a Global Environmental Facility (GEF) of more than $1 billion (SDR). The initiative for the establishment of such a Facility came from France and Germany. The participating countries have invited UNEP, along with UNDP and the World Bank to join in a co-operative pilot effort to protect the global environment. Its main objectives are limiting emissions of greenhouse gases, protection of biodiversity, protection of international waters and protection of the ozone layer. The details of GEF were negotiated with Governments throughout the year 1990, the last meeting having been held in Paris at the end of November. UNEP has started specific activities as implementing agency for GEF and has established a Scientific and Technical Advisory Panel to give generic guidance on technical issues.

13. The General Assembly, at its forty-fifth regular session in the fall of 1990, adopted a number of resolutions concerning the environment even though, in accordance with its biennial organization of work, the subject of environment itself was not on the Assembly's agenda. In addition to the issue of climate change, the Assembly adopted resolutions and decisions on the report of the Governing Council on the work of its second special session, on the report of the Preparatory Committee for UNCED, on driftnet fishing, on the New International Development Strategy, on Antarctica, on human rights and the environment, etc. A detailed account of these and other General Assembly resolutions related to the environment is to be found in Chapter IV of the

1990 Annual Report of the Executive Director (UNEP/GC.16/3).

14. At the regional level, a number of environmental ministerial meetings and conferences were held. In Asia and the Pacific, ESCAP, with the support of the Thai Government, the sponsorship of UNDP and in co-operation with UNEP, held a Ministerial Conference on Environment and Development (15-16 October 1990). The Conference Declaration proclaimed the tenets of a strategy for environmentally sound and sustainable environment in the region. During the Conference, ESCAP and UNEP agreed on a memorandum of understanding that would address issues of common concern now and in the future. [2]

15. In Europe, the Sixth European Ministerial Conference on the Environment (Council of Europe) was held at Brussels on 11-12 October and from 23-26 October, the Pan European Conference on the Protection of the East-West Environment (Council of Europe) met in Vienna. Towards the end of the year, again under the auspices of the Council of Europe, a Ministerial Conference on Protection of Forests in Europe was held in Strasbourg on 18-19 December.

16. From 22-24 October, the Seventh Ministerial Meeting on the Environment in Latin America and the Caribbean met at Port-of-Spain. The Meeting adopted a communiqué entitled "A Call To Action", and an Action Plan for the environment in the region, which was described as an "important instrument for strengthening co-operation." In the Action Plan, the Governments of the region defined their environmental priorities and the modalities to tackle them.

17. In Africa, the OAU took the lead in convening in Bamako, Mali, from 23-30 January 1991, a Pan-African Conference on Environment and Development, which was attended by representatives of over 30 African countries as well as numerous international organizations.

18. Such regional co-operation initiatives augur well for a co-ordinated approach to common environmental problems, helping to avoid duplication and unnecessary competition, promoting the development of solutions beneficial to the fraternity of countries concerned in the region.

Outlook for the 1990s

19. In his 1989 Annual Report, [3] the Executive Director expressed the hope that the coming decade would be characterized as "The decade of action". During the next 10 years, the Governments of the world will, by their actions or inaction, determine whether we reverse the current trend of rapidly increasing degradation of our human environment or simply stand by and allow it to continue unabated. If we accept as inevitable (and so make it inevitable) the ongoing destruction of our own biosphere by the cumulative actions of humankind, we will be saying that we are willing not only to consign future generations, our own descendants, to ever-increasing poverty and loss of quality of life, but also to contemplate the eventual destruction of life on this planet as a result of our inaction. The responsibility for that would be a crushing moral burden for this generation of decision makers to bear. The burden is not diminished by the fact that the "proof" would not appear until we, as individuals, are dead and gone and that our accusers will have only our memories and not our persons to indict. If we are prepared to accept this very real possibility, then we must be prepared to take the responsibility.

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20. The 1980s can be categorized as the decade in which the peoples and Governments of the world took seriously the threat to the global environment. The concern expressed by heads of Governments and other high-level spokespersons over such issues as climate change, loss of biodiversity, ozone layer destruction, hazardous wastes and toxic chemicals and the number of high-level conferences to discuss that concern increased exponentially as the decade wore on. Unfortunately the tide of rhetoric has yet to be matched with decisive action. Some progress was made towards the end of the decade, notably the Basel Convention and the relatively rapid negotiation and subsequent strengthening of the Montreal Protocol.

21. It is also encouraging that, at the end of the decade, Governments substantially increased their contributions to the Environment Fund, removing what had effectively been a ten-year freeze on the size of the Fund. The implications of the outlook for the 1990s for the Environment Fund are dealt with in a following section of the present report. Nevertheless, we enter the 1990s knowing that the state of the world's environment is now worse than it was a decade ago, despite growing awareness of the dangers, and that the major global issues - among them, climate change, loss of biodiversity, deterioration of water quality, loss of productive soils and desertification - remain to be solved. And we have good advice that by the year 2000 it may be too late.

22. At this stage the signs are not good. Negotiations on global conventions on climate change and loss of biological diversity have just commenced. Indications are that they will be extremely difficult. Governments, despite their membership in international agencies, remain the Governments of nation-states. They are therefore, in general, conditioned to advance first and foremost the short and medium term interests of their own nations.

23. If we are to solve the global environmental problems, we must adopt a new approach - one which equates the well-being of nations with the health of our planet. We need a change in our economic thinking as well. To make progress, we will have to accept the fact that environmental problems are economic problems in every sense of the word - that the loss of productive soil or life-supporting seas is at least as grave an economic problem as the loss of the market for the commodities they produced. To take into account the <u>real</u> capital of the world and of nations in this way will require the introduction of a system of natural resource accounts at both national and international levels. Until the value of natural resources <u>in situ</u>, and the real cost of resource use (in terms of lost capital value) is measured in this way, it will be difficult, perhaps impossible, to alter the behaviour of Governments and of peoples.

24. Broadening our idea of economic analysis to include environmental economics would have a number of other benefits. For one, it would make more evident the very close relationships between global and regional environmental problems and the strategies and processes of development - in both developed and developing countries.

25. Ten years ago, the Brandt Commission Report drew world attention to the close interrelationship between population, poverty and environmental degradation, and to the vicious circle whereby poverty leads to over-exploitation of natural resources, which, in turn, exacerbates poverty. Since then a score of other authoritative reports have elaborated on this theme. It would be idle to speculate on why, after more than a decade of analysis, description and warning of these interrelationships in a large number of authoritative reports, the majority of Governments still appear to regard environmental problems as being at best only remotely connected to issues such as development, trade and debt.

26. The coming decade offers an opportunity - perhaps our last - to show that we are capable of taking a holistic view of global problems and modifying our national and international institutions and our patterns of thought and behaviour to accommodate them. The 1992 United Nations Conference on Environment and Development will focus attention on the linkages between environment and development issues. What happens there will show whether the developed nations of the world have accepted that if the cycle of poverty, environmental degradation, economic underdevelopment, debt, and overpopulation is not broken in the developing world then all the world will suffer.

27. The difficulties that lie ahead should not make us unduly pessimistic. What is needed is realism, not pessimism. If we are prepared to assess realistically the gravity of the situation, to adapt our national and international institutions as required and to devote adequate resources (human and financial) to finding agreed solutions, then we can face the 1990s with confidence.

New challenges - new demands

28. The 1990s then will present UNEP and the Governments it serves with very specific challenges, as well as with some general and methodological ones. We must reach agreement early in the decade on the steps we can take to stop, mitigate and/or adapt to threats to the global environment. And we must find the additional resources needed to transfer environmentally benign technology to developing countries to ensure that they are not forced to aggravate these problems further. Otherwise, developing countries that participated meaningfully in combating global environmental problems, most of which are not of their making, would have to sacrifice opportunities for their own legitimate development. At the same time, additional resources will have to be found to help the countries of Eastern Europe to deal with an environmental crisis whose full enormity is still emerging. In both cases, developing and Eastern European countries, the obstacles hindering transfer of technology, as well as the issue of finances, will have to be removed. In addition, the growing number and increasing importance of international environmental treaties mean that attention must be turned to the difficult questions of verification of compliance with them and resolution of disputes over environmental issues.

29. To meet the challenges of the coming decade will require a substantial change of attitude and belief that is necessary if Governments (and thereby populations) are to alter their practices sufficiently to avert disaster. The real challenge of the 1990s is to match the rhetoric of the 1980s with action to protect the world's environment. It is not enough for Environment Ministers to make speeches or for meetings of Heads of State and government leaders to produce declarations on the need for action to avert ecological

disaster if their own Governments and people show no signs of having heard them. And they appear not to have. In their day-to-day decisions, the Governments of the world still show that, against all evidence, they still stubbornly think that resources such as forests, fossil fuels, fresh water and clean seas are the inexhaustible free gifts of nature and that the ability of our planet to absorb the polluting products of their industry is unlimited. While the world's leaders are urging action, their own Governments are not taking action on anything like the scale which is needed. That action will only be possible if we make some substantial changes in our economic and political assumptions. This need is addressed in greater detail in addendum 4 to the present report.

30. If we are to make rational and efficient decisions, we must first ascribe an intrinsic economic value to natural resources (including the capacity to cope with wastes generated by human activity) both for the purpose of charging resource users and the true costing of resource-based activities, along with the benefits to be included in national and regional economic analyses.

31. Secondly, we must be prepared to apply, not just talk about, the precautionary principle. This will require a new and more rigorous approach to risk analysis in relation to use of resources and, more particularly, when considering the ability of natural systems to deal with the by-products of economic activity and to cope with new substances and new organisms.

32. Third, we must approach with an open mind the question of economic and other instruments necessary to achieve global environmental security. If Governments, in the interests of perceived economic purity or to defend a particular concept of sovereignty, refuse to contemplate the widest possible range of actions in defense of our common security, then that security is put in jeopardy.

33. Finally, we must be prepared to deal with the issues of Third World development and the pressure they place on the global environment. The developed countries will have to be prepared to find the additional financial resources necessary to break the poverty/debt/environmental degradation cycle in developing countries and the funds needed for the transfer of environmentally benign technology. They will also have to accept that the requirements of global security place some constraints on the right of the private sector to withhold the technologies needed to deal with global environmental problems. Industry has a right to be fairly compensated for such knowledge, but not to hold the world to ransom.

34. In return, the developing countries must accept the fact that the particular path to development followed by the industrialized nations is no longer open to them. The planet can no longer cope with the environmental stress of "quick and dirty" development. The quid pro quo for additional assistance from the developed nations will be some limitations on the availability of technologies known to be environmentally damaging.

35. Reaching agreement on the details of the financial facility (or facilities) needed to achieve this and the modalities of its (or their) operation will be a major challenge to Governments and to UNEP. It is one that must be met without delay. Without such agreement, it will be difficult to make substantial progress in defense of our global environment.

36. In the coming decade, we must also look at the adequacy of existing national and international institutions to deal with what is now recognized to be a global crisis. The need for an examination of the capacity of the United Nations system as a whole to deal with major environmental issues is recognized in General Assembly resolutions 44/228 (Section I, para. 15(q)) and 44/229 (para. 5). [4] That examination is being undertaken in consultation with Governments and United Nations agencies, in the context of the UNCED preparatory process. It will deal with the need for improved co-ordination within the United Nations family both to ensure that, in following their various mandates, agencies are not inadvertently working against the mandate of others, and to identify any gaps in the system that should be filled.

37. Some gaps in the system are already well known and the institutions required to fill them have already been discussed. In resolution 44/224, the General Assembly identified the need for advance warnings of impending environmental disasters and called for a report and recommendations from the Secretary-General, assisted by the Executive Director of UNEP, on the ways and means of implementing such an early warning system. The report of the Secretary-General is before the Council in document UNEP/GC.16/17. The views of the Governing Council on the Secretary-General's report will be submitted to the General Assembly at its forty-sixth session.

38. The General Assembly resolution 44/224 also refers (in para. 5(e)) to the need for a capacity within the United Nations system "To assist Governments facing environmental emergencies, at their request", reflecting Governing Council decision 15/10 on the need for a United Nations centre for urgent environmental assistance. The foresight of the General Assembly and the Governing Council has been borne out by the urgent need for action in response to the results of the war over the conflict between Iraq and Kuwait. Having solicited the views of Governments, United Nations bodies and regional organizations on such a centre, the Executive Director is submitting a detailed report on the subject, as requested by the Council, in addendum 2 to the present report.

39. At its second special session, the Governing Council also discussed the possible establishment of a World Environment Academy. The benefits available from such an academy would include the provision, upon request, to Governments and international agencies of independent advice and information briefs on environmental issues; the establishment of an inter-disciplinary network that could promote discussion on and study of relevant environmental issues on a multi-disciplinary and multi-sectoral basis; the promotion of relevant scientific research to address gaps in our knowledge of environmental problems; and the promotion of relevant training in developing countries.

40. A panel of experts met twice during the past year to consider the question. A more detailed proposal, based on their consideration, is being submitted to the Council in addendum 3 to the present report.

41. At its second special session, the Governing Council also discussed the idea of mobilizing young people in defense of the environment through the creation of a 'Green Brigade' of environmental volunteers. During the past year, this concept has been developed further and preliminary planning for the Brigade's establishment undertaken. The significance of such an idea was heightened by the Iraqi/Kuwaiti conflict, when scores of young people called for a means to allow them to participate in the protection and restoration of the environment in the area. The Green Brigade would initially comprise a

network of existing local, national and international organizations that are prepared to accept the objectives and standards set down by UNEP for the Brigade. The networking function would be serviced by UNEP, which would provide information and educational material and facilitate 'twinning' and mutual assistance programmes from developed country organizations to those in developing countries. A second phase would involve stimulating the establishment of local 'Green Brigade' groups where no suitable organization already exists. There are indications that industry and business would be prepared to finance such groups. Addendum 2 to the present report contains more detailed proposals regarding the establishment of such "Green Brigades" for the consideration of the Council.

42. The challenges of the 1990s are considerable. Meeting them will place considerable demands on all Governments and on UNEP. Some of these demands relate to attitudes and practices, others to the need for new institutional arrangements and the funds to maintain them. In addressing the recommendations and proposals contained in this report, Governments should bear in mind the close relationship between the two. Statements of concern and intent without commitment to action and the ongoing funding necessary to give them practical effect will be seen only as empty rhetoric. The greatest challenge of the 1990s is to put into effect what we have been saying now for over a decade.

Implications for the Governing Council

43. The challenges and demands of the decade of the 1990s are not without implications for the Governing Council of UNEP. As mentioned in the introduction to the present report, the Council has, in recent years, made efforts to strengthen its own role and these efforts have been supported by the General Assembly.

Exercise of mandate

44. Under its mandate, the Council has achieved considerable success: two System-Wide Medium-Term Environment Programmes, each covering a five-year span and encompassing the totality of environmental activities within the United Nations system, have been considered and approved by the Council. In 1982, at its session of special character and at its subsequent tenth regular session, the Council launched the idea that came to fruition with the establishment of the World Commission on Environment and Development. At its fourteenth session, in 1987, the Council adopted the Environmental Perspective to the Year 2000 and Beyond, which was subsequently adopted by the General Assembly (GA res.42/186) "as a broad framework to guide national action and international co-operation on policies and programmes aimed at achieving environmentally sound development" (para.2).

45. Of these and other notable achievements, the Governing Council can rightfully be proud. But is it not time for the Council to exercise more fully the mandate given to it by the General Assembly in resolution 2997 (XXVII) of 15 December 1972 and explicitly reaffirmed by the Assembly in its resolution 44/229 of 22 December 1989? Is it not time to consider going beyond "business as usual" and to look at the needs and gaps that could perhaps be met by the Governing Council, either directly by the Council itself or indirectly, through the establishment of a subsidiary body to deal with the problem?

46. Of late, there has been a spate of environmental conflicts and every indication points to an increase in such disputes. For this reason, the Executive Director flagged the issue of assistance in conflict avoidance and in its resolution to the Council at its second special session. [5] Further, given the rapid increase in the number of legal instruments in the environmental field, the lack in most cases of concrete procedures of verification of compliance with such instruments is an inherent weakness that threatens their effectiveness. As early as 1972, the need for a means of resolving environmental disputes was identified, and the appropriateness of the International Court of Justice for this task was discussed. This issue, too, was brought to the attention of the Council at its second special session. [6] Another issue flagged by the Executive Director in his report for the Council at its second special session was subsequently taken up by the General Assembly in its resolution 44/224 (para. 5), namely the need for early warning of risks of environmental deterioration. As indicated in paragraph 38 above, the Assembly has linked the issue of early warning to a capacity within the United Nations system to assist Governments, at their request, in meeting environmental emergencies. More details on the subject of early warning, a United Nations Centre for emergency environmental assistance, verification of compliance with international environmental legal instruments and assistance in avoidance and in resolution of environmental disputes can be found in Addendum 2 to the present report. Moreover, the related Secretary-General's report, called for by the General Assembly in its resolution 44/224, is before the Council in document UNEP/GC.16/17.

47. In his report to the Council at its second special session, the Executive Director also raised the issue of environmental assessment studies of the programmes, activities and projects carried out by the United Nations system. [7] The need to provide for environmental consideration in the design and implementation of development programmes and projects is widely recognized in the United Nations system. There is also commitment, in principle, to prevent environmental degradation and promote environmentally sound development. However, there is not a well defined responsibility assigned within individual organizations to monitor and report on how, and to what extent, these activities are contributing to better environmental management. At the inter-agency level, the existing co-ordinating mechanisms, the Administrative Committee on Co-ordination (ACC), the Designated Officials for Environmental Matters (DOEM) and the Committee of International Development Institutions in the Environment (CIDIE) have not yet taken all the necessary measures for the exchange of information and learning from each other's practices; for the generation of a database on applications of environmental impact assessment in sectoral fields of specialization; or for the evolution of comparable analytical methodologies.

48. To meet a request of the United Nations Co-ordinating Committee on Substantive Questions (OPS), and DOEM, an overview study on the existing environmental guidelines and assessment procedures in the United Nations system was completed in 1990. The report was based on a sample of organizations and agencies and, though it had some limitations, it was generally considered a useful reference for identifying which procedures are being used within the system. As such, it might be useful for organizations in developing their own guidelines.

49. While it is generally agreed that organizations and agencies should themselves be responsible for establishing and implementing environmental assessment procedures for their own projects and activities, UNEP could play a

useful role by providing assistance to the system in the review of present procedures in use, staff training and the preparation of, for example, guidelines and manuals on environmental impact assessment procedures. UNEP could also stimulate and complement work within the agencies and organizations in evaluating environmental procedures, including impact assessment practices of United Nations agencies and organizations engaged in development activities. UNEP could compile environmental technical advisory services, provide lists of experts and consultants, and support "third party" objective review in the future. In this connection, DOEM could routinely receive from agencies reports on progress in the implementation of environmental guidelines and assessment procedures. DOEM could then make general recommendations and prepare a brief analytical report thereon to ACC and then to UNEP's Governing Council. Such review could be done initially at the level of specific activities without attempting to cover a whole country or subject area.

Special session of the Governing Council in 1992

50. As the Council is aware, the Executive Director, in his report to the second special session in August 1990, raised the question of a special session of the Council in 1992, the year of the UNCED. Indeed, it would appear as though the General Assembly itself had such a special session of the Council in mind when it adopted resolution 44/227 of 22 December 1989, requesting the Secretary-General to prepare for submission to the Conference and to the General Assembly at its 47th session (in 1992), through the Governing Council, a new consolidated report on further substantive follow-up to General Assembly resolutions 42/186 and 42/187. The report is in addition to the progress report called for by the same resolution, to be submitted through the Council's regular sixteenth session to the General Assembly in 1991.

51. Having further studied the question, the Executive Director is now proposing that the Council hold a special three to five-day session in 1992, prior to UNCED, with a view to considering a number of documents and reports that cannot be prepared in time for the Council's sixteenth session in 1991, before they are submitted to the conference for its consideration through the preparatory process. (The detailed information - justification, proposed dates, proposed agenda, estimated costs etc. - are before the Council in addendum 6 to the present report).

Frequency and duration of Governing Council sessions

52. When UNEP was established in 1972, the General Assembly decided (resolution 2997 (XXVII)) that the Governing Council should meet annually and report to the General Assembly through ECOSOC. There were many developments in the ensuing 15 years, not the least of which, in very pragmatic terms, was the financial crisis of the United Nations. Under the shadow of this crisis, but also bearing in mind the rather disproportionate workload on the small secretariat of UNEP in preparing each year for a session of the Governing Council, the Council in 1987 decided to recommend to the General Assembly that henceforth, except for once in every six years, Council sessions be held biennially, in the odd year. The General Assembly concurred.

53. In 1987, the Council held its fourteenth session. In 1988, as foreseen, it met in a special one-week session to consider and approve the draft of the second system-wide medium-term environment programme. In 1989 there followed the fifteenth regular session and by that time, it was evident that the

General Assembly would be convening in 1992 a United Nations conference on environment and development. Conscious of the impending decision of the Assembly to convene such a conference and caught up in the growing tide of environmental concern, with all its ecological, social, political and economic ramifications, the Council decided to hold its second special three-day session in 1990 to reflect on priority evolving environmental issues. It also revealed its thinking that a special session in 1992 might be advisable by requesting the Executive Director to submit a report on the subject to the Council at its sixteenth session. In 1993 the Council will hold its seventeenth regular session, in 1994 it will hold a special session on the draft system-wide medium-term environment programme, and 1995 will be the eighteenth regular session. In short, despite its recommendation to hold sessions only once every two years, by 1995 (if the Council decides to hold a special session in 1992) it will have met annually for nine years. It would seem as though events since 1987 have shown that annual sessions of the Council have become a necessity in light of the increasing importance being given to the environment by the international community.

54. In view of the above, it may be time for the Council to reconsider the cycle of its sessions. Closely related to this issue is the question of the duration of Council sessions. If the Council is to be strengthened, representation at its sessions should be at the ministerial level. But ministers can hardly be expected to stay for a full two-week Council session. The answer might be found in a slight modification of the organization of the Council's work. The Council has already taken steps in this direction in its decision 15/1, II, paragraph 2, which will take effect already at its sixteenth session. The first week of the session will be devoted to work in two committees: (i) Programme; and (ii) Fund and Administration. The second week the Council will meet in Plenary, at the ministerial or equivalent level, to receive the reports of the committees and to discuss major policy issues.

55. If this organization of work proves beneficial, the Council might wish to consider going a step further by establishing two standing committees, one on programme matters, the other on Fund and Administration. These two committees would meet simultaneously in the odd year, for a duration of one week, immediately preceding the session of the Governing Council. The reports and recommendations of the two committees would then be submitted to the Council for its consideration and approval. There would be no additional financial implications for such an arrangement, as the costs for such a session, together with the meetings of two standing committees, would not differ from the present costs of Council sessions.

56. Even if the Council would wish to revert to annual sessions, its sessions could then be limited to one week's duration, given the fact that the two standing committees, meeting biennially, would relieve the Council of its housekeeping and accounting chores, thus allowing it not only to maintain its overall guidance and authority, but also to devote itself, with high-level participation, to major policy issues. The financial implications of such annual sessions would amount to an additional $1,000,000 per biennium to cover the costs of a one-week session in the even year.

Expanded membership of the Governing Council

57. The Governing Council, established by the General Assembly in 1972 under the then-obtaining formula, consists of 58 member States, with the seats apportioned under the five geographical groups: Africa; Asia and the

Pacific; Eastern Europe; Latin America and the Caribbean; and Western Europe and Others. In view of the increasing importance of the environment and given the varying impacts of a large number of the major global environmental issues in different regions, sub-regions and even nations, it might be advisable to have as wide participation as possible at the Council so that those affected might have a possibility of airing their views and concerns. The Council might thus wish to recommend to the General Assembly that it consider expanding the membership of the Governing Council to 87 (one and one-half times the current membership) or 116 (twice the current membership) while maintaining geographical balance under the current formula governing the composition of the Council. Alternatively, the Council may wish to make its membership open to all States Members of the United Nations. An increase in the membership of the Council would have no financial implications.

Executive Committee

58. Should the Council opt to retain the biennial cycle of its sessions, and particularly if the membership of the Council were expanded, consideration might be given to the creation of an Executive Committee consisting of some 30 States Members (or approximately half the number of the current Council membership), to be elected by the Council from among its own members, having due regard to equitable geographical distribution. Under the overall policy guidance of the Council, such a committee could meet once or twice, as necessary, during the 24-month intersessional period to provide advice and guidance to the Executive Director. The committee would have decision-making powers on matters specifically mandated to it by the Council and would, of course, report directly to the Council. The financial implications of the establishment of such a committee would vary according to the number of meetings and the duration of those meetings. A one-week meeting of a 30-member Executive Committee would cost approximately the same as a one-week session of the Council. The establishment of an Executive Committee need not affect the work of the Committee of Permanent Representatives, which consists largely of a continuous process of review of the implementation of Governing Council decisions. Of course, should the Council wish to revert to annual sessions, there would be no need of an executive committee.

Meeting of the Bureau with the bureaux of other governing bodies

59. At its fifteenth session, in 1989, the Council mandated its Bureau (Governing Council decision 15/1, II, paragraph 5), on an experimental basis, to meet with the bureaux of the counterpart organs of the specialized agencies and other organs of the United Nations to develop more positive and collaborative relationships. In consequence of that decision, members of the Bureaux of the Council's fifteenth session met with representatives of the bureaux of the following governing bodies:

FAO	21 February 1990
ILO	23 February 1990
IMO	9 March 1990
UNIDO	25 May 1990
UNDP	29 May 1990
WMO	8 June 1990
Unesco	12 October 1990
IFAD	(to come)

The President or one of the Vice-Presidents of the Governing Council reported regularly to the Committee of Permanent Representatives on the results of those meetings (a brief resumé of the meetings and discussions is presented to the Council for information in UNEP/GC.16/Inf 2).

60. The results of these experimental meetings have been generally positive. Members of counterpart bureaux complimented UNEP's Governing Council on this new initiative, which, they said, represented a new and important means for Governments to co-ordinate their views and positions in different forums of the United Nations system on issues related to the environment. Such issues were generally of cross-organizational and cross-sectoral concern. The visits further served to clarify areas of overlap and duplication, to promote effective co-operation and to identify gaps. The overwhelming majority of the counterpart organs visited recommended the continuation of the Bureau visits as an important element in promoting environmental awareness in the governing bodies of organizations and agencies within the United Nations system. In a number of instances, the meetings were attended by the executive heads and senior staff of the organization in question, and this further enhanced the usefulness of the meetings. It was particularly advantageous that one, and lately two, of the UNEP Governing Council Bureau members (the President and one Vice-President) were also members of the Committee of Permanent Representatives; comments were made in the Committee as to how beneficial and informative the Bureau reports were as Permanent Representatives were kept informed of the programmes, constraints and co-operative efforts of other organizations in the United Nations system.

61. The Executive Director is thus recommending to the Council the institutionalization of the Bureau meetings. In a similar vein, the Council may wish to consider the idea of entrusting some of its members to address, on its behalf, meetings of General Conferences or assemblies of the organs and organizations of the United Nations system whose mandates are relevant to UNEP's work, e.g. the ones visited by the Bureau. The financial implications of such joint Bureau meetings or attendance at conferences and assemblies would be of the approximate magnitude of $60,000 per biennium.

Addressing regional/topical issues at Council sessions

62. It has now become common practice in most of the geographical regions to hold annual or biennial regional meetings on the environment. This development can only be welcomed. But should the Governing Council not make an effort to become more closely involved in these regional environmental concerns? It is certainly not the role of the Council to attempt to dictate to any region or State, but the sessions of the Council could provide a unique opportunity for regional environmental problems to be aired and discussed on the basis of reports from the various regional meetings. While encouraging local and regional approaches to environmental concerns, the Council might be of some assistance in (i) mobilizing and co-ordinating global support for regional problems; (ii) identifying some common denominators in regional environmental problems and helping to promote exchanges of experience among and between regions facing similar problems; and (iii) placing regional concerns within the context of the major global environmental problems. To this end, the Council might wish to set aside two plenary meetings to discuss regional environmental problems.

63. Another proposal would be to select, as appropriate, for each Council session, a theme or sector for in-depth discussion: the issues of energy and the environment, agriculture and the environment, industry and the environment, populations and the environment, children and environment, human health and the environment, transport and the environment, environment and economics, come immediately to mind. If such a central theme were chosen in advance, to enable preparation of the appropriate documentation in consultation with the relevant authorities/organizations, the Council might wish to authorize the Executive Director to invite some Ministers, members of other governing bodies, and high-level officials of the relevant organs of the United Nations system actively engaged in that field to participate in the Council's deliberations of the item with due regard to equitable geographical representation. By way of example, the Council chose as the theme for the 1990 state-of-the-environment report "Children and the Environment". The report has been duly prepared and issued in co-operation with UNICEF. Would the Council's pronouncements and impact on this issue be strengthened by having the appropriate governmental authorities (Ministers of Youth, etc.) and the Executive Director of UNICEF take part in the Council's discussion of this issue? Again, two plenary meetings set aside for that type of discussion might prove quite useful.

64. In a similar vein, no one expects the theme of environment and development to be exhausted at the 1992 Conference. Indeed, it seems likely that this theme will dominate international debate for decades to come. As the UNEP Governing Council, under the mandate given it by the General Assembly, is the highest intergovernmental body responsible for: promoting international co-operation in the field of the environment; providing general policy guidance for the direction and co-ordination of environmental programmes within the United Nations system; keeping under review the world environmental situation in order to ensure that emerging environmental problems of wide international significance receive appropriate and adequate consideration by Governments; promoting the contribution of the relevant international scientific and other professional communities to the acquisition, assessment and exchange of environmental knowledge and information; and, lastly, for maintaining under continuing review the impact of national and international environmental policies and measures on developing countries, as well as the problem of additional costs that may be incurred by developing countries in the implementation of environmental programmes and projects, would it not be worthwhile for the Council to consider meeting periodically in brief joint one-and-a half or two-day sessions with the Governing Council of the United Nations Development Programme? The advantages are immediately apparent: the intergovernmental body responsible for development and the counterpart intergovernmental body responsible for environment meeting together to discuss common problems and common solutions. Such meetings could be arranged on a biennial basis, alternating between Geneva and Nairobi, first in conjunction with the Governing Council of UNDP in Geneva, then two years later, in conjunction with UNEP's Governing Council at Nairobi.

Implications for the Environment Fund

65. For a decade (1979-1988), contributions to the Environment Fund stagnated at around the $30 million level. In terms of purchasing power, there was of course a marked decline. Only in 1989, when contributions reached $39.2 million, were there signs of an increase. That same year, the Council agreed as part of its decision 15/1 entitled "Strengthening the role and

effectiveness of the United Nations Environment Programme", to set a target of $100 million for contributions to the Environment Fund by 1992. In that same decision, the Council singled out eight areas of concentration on which the international community was to focus its attention and within those eight areas, asked UNEP to give special attention to the following issues: (a) combating climate change; (b) combating the depletion of the ozone layer; (c) management of shared fresh-water resources; (d) control of pollution in regional seas and proper management of their coastal areas; (e) halting desertification and deforestation; (f) conservation of biological diversity within a broad socio-economic context; and (g) minimization of hazardous wastes, through the development of low- and non-waste technologies and the environmentally sound management of hazardous wastes and potentially toxic chemicals.

66. At its second special session, in 1990, the Council, focusing on priority evolving environmental issues, adopted as its first decision (SS.II/1) entitled "Strengthening of the role of the Environment Programme and the Governing Council".

67. It is evident to all concerned that UNEP - Governing Council, the secretariat and Environment Fund - must be strengthened if the Programme is to meet the challenges of the 1990s, which have been described in the preceding paragraphs. Recognizing the urgency and magnitude of these challenges, the Executive Director proposed to the Council at its second special session that it consider setting a target of $250 million for contributions to the Fund by 1995. The Council, in turn, requested the Executive Director to submit to it at its 16th session a detailed report explaining the basis of his recommendations. This detailed report is before the Council in addendum 4 to the present document.

68. In summary, the Executive Director is proposing to use the $250 million not only to continue UNEP's approved programme of activities, but to address priority areas of concern: institution-building and training for support to the climate and biological diversity conventions; further assessment of ozone layer modification; regional plans for the integrated management of shared water resources; country case studies on biological diversity; support to the World Conservation Strategy for the 1990s and the decade strategy on biodiversity conservation; formulation of international legal instruments on marine pollution from land-based sources, and chemicals in international trade; development of model national legislation in the field of chemicals and hazardous wastes; support to the first phase of a United Nations Center for Urgent Environment Assistance; strengthening of developing countries' capabilities for monitoring and assessment in the field of natural resources and environmental pollution; development of an early warning system for the anticipation of environmental threats and assistance in case of environmental emergencies; support to UNEP's Environmental Research Fellowship programme; strengthening public information activities; and follow-up to the United Nations Conference on Environment and Development, in accordance with the General Assembly resolutions on the subject.

Notes

1/ General Assembly resolution 44/229 (para. 2) of 22 December 1989.

2/ The text of the memorandum of understanding is being submitted to the Council in document UNEP/GC.16/Inf.3.

3/ UNEP/GC.16/2.

4/ In its resolution 44/228 on the United Nations Conference on Environment and Development, the General Assembly decided (Section I, para. 15(q)) that one of the objectives of the Conference should be "to review and examine the role of the United Nations System in dealing with the environment and possible ways of improving it". In its resolution 44/229 on International Co-operation in the Field of the Environment, the Assembly considered (para. 5) "that the structure of the United Nations and its responsiveness in dealing with major environmental issues should be reviewed in order to strengthen its capacity to deal with these matters in an integral, coherent and effective way, and requests the Secretary-General to prepare a report on this issue, taking into account the views expressed by Governments, to be considered in the preparatory process for the United Nations Conference on Environment and Development".

5/ UNEP/GCSS.II/2, paras. 124-130.

6/ UNEP/GCSS.II/2, para. 123.

7/ UNEP/GCSS.II/2, paras. 147-149.